

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Institutional Division



855264

003

9/5/2003

004

WORDEN, EARL DAVID

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

Institutional Division



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WORDEN, EARL DAVID

ST XT 1

THE STATE OF TEXAS
VS.
EARL DAVID WORDEN

SPN: **00718309**
DOB: WM 9-19-61
DATE PREPARED: 12/14/98

D.A. LOG NUMBER: 479678
CJIS TRACKING NO.: 9029993855-A001
BY: JL DA NO: 048
AGENCY: LAPORTE PD
O/R NO: 98038918
ARREST DATE: 12-13-98

NCIC CODE: 5203 03

RELATED
CASES:

FELONY CHARGE: **POSSESSION OF FIREARM**
CAUSE NO: **800340**
HARRIS COUNTY DISTRICT COURT NO: **230**
FIRST SETTING DATE:

BAIL: \$10,000
PRIOR CAUSE NO:

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Comes now the undersigned Assistant District Attorney of Harris County, Texas, in behalf of the State of Texas, and presents in and to the District Court of Harris County, Texas, that in Harris County, Texas, **EARL DAVID WORDEN**, hereafter styled the Defendant, heretofore on or about **DECEMBER 13, 1998**, did then and there unlawfully, intentionally and knowingly possess a firearm at a location other than the premises where he lived at the time, after been convicted of a felony, namely, ~~AGGRAVATED SEXUAL ASSAULT~~, in the 209th District Court of HARRIS County, Texas, in Cause Number ~~628210~~ on MAY 6, 1992, and said possession of the firearm occurred after the fifth anniversary of the Defendant's release from confinement following conviction on May 6, 1992.

441210 *Unauthorized Use of a Motor Vehicle*

State moves to amend the complaint in the above marked manner.

FILED
CLERK OF DISTRICT COURT
Harris County, Texas

DEC 15 1998

Time: 10:40a
Harris County, Texas

By _____
Deputy

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Caroline Dejeu
ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS

00788045
BAR CARD NO.

INFORMATION

WAIVER OF INDICTMENT

I am the defendant in the above felony information. My attorney has explained to me my right to be prosecuted by grand jury indictment which I hereby waive, and I consent to the filing of the above felony information.

APPROVED: _____

ATTORNEY FOR DEFENDANT

DEFENDANT

On this day, the defendant and his attorney appeared before me in open court. Having been advised by the court of the right to be prosecuted by indictment, the defendant knowingly and voluntarily waived that right.

Done on this _____ day of DEC 15 1998 19_____.

JUDGE PRESIDING

INFORMATION/WAIVER OF INDICTMENT

CAUSE NO.

800340

THE STATE OF TEXAS
VS.

Earl David Worden
(Name of Defendant)

IN THE 230 DISTRICT COURT

COUNTY CRIMINAL COURT
AT LAW NO.

OF HARRIS COUNTY, TEXAS

AKA

Judge

Presiding:

Attorney

for

State:

Attorney

for

Defendant:

Offense Convicted of:

Hon. Belinda Hill
Bill Hawkins
Roderic Rodriguez

☐ Defendant
Waived
Counsel

Date of

Judgment:

Date

Sentence

Imposed:

Sentence

to Begin

Date:

Date of

Offense:

12-15-1998
12-15-1998
12-15-1998
12-15-1998
12-13-1998

Possession of a firearm

☐ A MISDEMEANOR, CLASS: A | B | C | ☒ A FELONY, DEGREE: 1st | 2nd | 3rd | CAPITAL

Terms of Plea Bargain (In Detail):

State moves to amend complaint as shown or explained.
5 years TOLG to.

(Circle appropriate selection - N/A = not available or not applicable)

Plea to Enhancement

1st Paragraph

2nd Paragraph

Charging

Paragraph(s):

True | Not True | N/A

True | Not True | N/A

Instrument:

Complaint | Indictment | Information

Findings on

1st Paragraph

2nd Paragraph

Plea:

Enhancement(s):

True | Not True | N/A

True | Not True | N/A

Guilty | Nolo Contendere | Not Guilty

Affirmative Findings:

Deadly Weapon:

Yes | No | N/A

Family Violence:

Yes | No | N/A

Hate Crime:

Yes | No | N/A

Punishment Imposed and

Place of Confinement:

(Mark all that apply)

☒ Institutional Division, TDCJ

☐ Sentence suspended, Defendant

placed on community supervision for

☐ State Jail Division, TDCJ

☐ Harris County Jail

☐ SEE SPECIAL INSTRUCTIONS, incorporated herein by reference.

☐ Fine in the Amount of:\$

☐ Fine Only

Time

Credited:

days toward

incarceration

days toward

fine and costs

days toward incarceration,

fine and costs

COURT COSTS: \$201.25

(Mark appropriate selections below, if applicable)

☐ Name changed from

☐ Judgment Addendum incorporated herein by reference.

☐ Driver's license is suspended for a period of days/months/years.

- ☐ The Defendant is entitled to _____ days ~~credit toward~~ suspension of driver's licen.
- ☐ It is ordered by the Court, that any weapon(s) seized in this case is/are hereby forfeited.
- ☐ Educational program waived in accordance with Article 42.12 Sec. 13 (h), upon a finding of good cause by the Court.
- ☐ In accordance with Section 12.44(a), Penal Laws of Texas, the Court finds that the ends of justice would best be served by punishment as a Class A misdemeanor. The Defendant is adjudged to be guilty of a state jail felony and is assessed the punishment indicated above.
- ☐ In accordance with Section 12.44(b), Penal Laws of Texas, the Court authorizes the prosecuting attorney to prosecute this cause as a Class A misdemeanor. The Defendant is adjudged to be guilty of a Class A misdemeanor and is assessed the punishment indicated above.

This cause being called for trial, the State appeared by her District Attorney as named above and the Defendant named above appeared in person with Counsel as named above; or the Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel as indicated above, and both parties announced ready for trial. The Defendant waived his right of trial by jury, and pleaded as indicated above. Thereupon, the Defendant was admonished by the Court as required by law. It appearing to the Court that the Defendant is mentally competent to stand trial, that the plea is freely and voluntarily made, and that the Defendant is aware of the consequences of his plea; the plea is hereby received by the Court and entered of record. The Court having heard the evidence submitted, found the Defendant guilty of the offense indicated above. The Defendant was granted the right of allocution and answered nothing in bar thereof. The Court proceeded in the presence of the Defendant to pronounce sentence against the Defendant.

IT IS CONSIDERED, ORDERED AND ADJUDGED by the Court that the Defendant is guilty of the offense indicated above, and that the Defendant committed the offense on the date indicated above, and that the Defendant be punished as indicated above for the period indicated above, and that the State of Texas do have and recover of the Defendant all costs of the prosecution for which execution will issue. Further, the Court finds the Presentence Investigation, if so ordered, was done according to the applicable provisions of Art. 42.12, Sec. 9, Code of Criminal Procedure.

IT IS ORDERED by the Court that if the punishment assessed against the Defendant is confinement in the Institutional Division or the State Jail Division of the Texas Department of Criminal Justice (TDCJ) that the Defendant be delivered by the Sheriff of Harris County, Texas immediately to the Director of the Institutional Division or the State Jail Division, TDCJ, or any other person legally authorized to receive such convicts, and said Defendant shall be confined in the Institutional Division or State Jail Division, TDCJ for the period indicated above, in accordance with the provisions of the law governing the Institutional Division or State Jail Division, TDCJ. The Defendant is remanded to the custody of the Sheriff of Harris County until said Sheriff can obey the directions of this sentence.

IT IS ORDERED by the Court that if the punishment assessed against the Defendant is confinement in the Harris County Jail that the Defendant is remanded to the custody of the Sheriff of Harris County, Texas; unless the Defendant is instructed to voluntarily surrender to the Sheriff on the date the sentence is to begin, as indicated above. The Sheriff shall confine the Defendant in the Harris County Jail for the period indicated above, and until the fine and costs are fully satisfied in accordance with law.

IT IS ORDERED by the Court that if the punishment assessed against the defendant is for a fine only, the Defendant is ordered to immediately proceed to the Office of the Harris County Sheriff and pay all fine and court costs as ordered by the Court in this cause; unless the Court orders the Defendant to be committed to the custody of the Sheriff of Harris County, Texas on the date the sentence is to begin, as indicated above, to be confined in the Harris County Jail until the fine and costs are fully satisfied in accordance with law.

IT IS ORDERED by the Court that the sentence indicated above is to be executed, unless it is indicated above that the sentence is to be suspended, and if so, the Defendant is placed on community supervision for the period indicated above pending his abiding by and not violating the terms and conditions of his community supervision.

IT IS ORDERED by the Court that this sentence runs concurrent with any other sentence(s) unless it is indicated on the Judgment Addendum that the sentence is to run cumulatively.

Signed and entered on

December 15, 1998

Community Supervision

Expires on:

N/A

x

Belinda Hill

PRESIDING JUDGE

Notice of Appeal:

Mandate Received:

After Mandate Received, Sentence to Begin Date is:

Received on 15 Dec 98 at 1104 AM PM.
Sheriff, Harris County, Texas

By: [Signature] 2276 Deputy

SPECIAL INSTRUCTION OR NOTES:

Entered

4.999

Verified

[Signature]

LCBT

LCBU

18.999

THE STATE OF TEXAS
VS.

REV 5/80

Carl David Worden

SPN: _____
DOB: WM 091961

DATE PREPARED: 082285 by beh DA NO: 279

AGENCY: HPD/Pasadena R NO: 43181785

NCIC CODE: 1115 23 ARREST DATE: 082185

RELATED CASES:

FELONY CHARGE:

AGGRAVATED SEXUAL ASSAULT

CAUSE NO: 431290

HARRIS COUNTY DISTRICT COURT NO: 209th

2 BAIL \$ 20,000
10,000

PRIOR CAUSE NO:

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The duly organized Grand Jury of Harris County, Texas, presents in the District Court of Harris County, Texas, that in Harris County, Texas,

EARL DAVID WORDEN

hereafter styled the Defendant, heretofore on or about July 4, 1985 did
then and there unlawfully

intentionally and knowingly by the use of physical force and violence and
by threatening the present use of force and violence against
not the spouse of the Defendant and hereafter styled the Complainant, cause
the penetration of the vagina of the Complainant by placing his sexual
organ in the vagina of the Complainant and without the consent of the Complainant
and in the course of the same criminal episode the Defendant used and exhibited
a deadly weapon, namely, a firearm.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Margie Franklin
FOREMAN OF THE GRAND JURY

FILED
CLERK
1985 SEP -5 PM 1:57
BY R. Idell
CLERK

INDICTMENT ORIGINAL

2713700557 32

vs. Earl David Warden

COURT OF HARRIS COUNTY, TEXAS

Change of Venue From: N/A

JUDGMENT REVOKING PROBATION

Judge Presiding: Wallace C. Moore Date of Judgment: May 6, 1992
 Attorney for State: Ron Johnson Attorney for Defendant: W.K. Borden
 Offense: Sexual Assault
 Convicted of:

Degree: 2nd Date Offense Committed: July 4, 1985
 Date of Probation Order: January 23, 1986
 Paragraph Violated and Grounds for Revocation: Paragraphs one thru four - Law Violation and Technicals
 As set out in States original Petition to Revoke Probation:
 Original Punishment Assessed: 10 years confinement in the Texas Department of Corrections - parole and a \$10,000.00 fine
 Findings on Use of Deadly Weapon: N/A
 Punishment Imposed and Place of Confinement: 5 years confinement in the Texas Department of Corrections and no fine
 Date of Sentence: May 6, 1992 Costs: N/A
 Sentence: TO begin March 28, 1992 Total Amount of Restitution/Reparation/Reward: N/A
 Time Credited: 161 days Restitution/Reward to be paid to: N/A
 Concurrent Unless Otherwise Specified: N/A Name: N/A
 Address: N/A
 Statement of amount of Payment(s) Required/Terms of Payment: N/A

This day this cause being again called the State appeared by her District Attorney as named above, and the Defendant as named above appeared in open court in person, and either with his counsel as named above or knowingly, intelligently, and voluntarily waived the right to representation by counsel as indicated above. Then came on to be heard the motion of the State's Attorney that the probation of the Defendant be revoked.

The Court having heard and considered said motion the Defendant's plea thereto and the evidence submitted, it appears that on the 23rd day of January, A.D. 1986, in the above District Court of Harris County, Texas said Defendant was finally convicted of a felony and his punishment assessed at confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division for a period of 10 years and a fine of \$ 10,000.00. The imposition of the sentence was suspended and the Defendant was placed on probation for a term of 10 years, and that said Defendant has violated the terms of his probation in that:
He came on and about his person a handgun on a license
from a release on March 28, 1992 in Harris County, Texas.
Failed to report to his probation officer on August 21, 1991. Failed to
pay his supervision fee, and failed to pay fine.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the order suspending the imposition of the sentence, and placing the Defendant on probation, heretofore entered in this said cause be, and the same is hereby revoked, and it is hereby ordered by the Court that the Defendant be now sentenced herein in accordance with the judgment heretofore entered in this cause and in compliance with this order and further, it appearing to the Court that the ends of justice will best be served by a reformation of the judgment herein from 10 years confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division and a fine of \$ 10,000.00 to 5 years confinement in the Texas Department of Criminal Justice, Institutional Division and a fine of \$ N/A. It is therefore ordered, adjudged and decreed by the Court that this judgment be reformed and the penalty reduced from 10 years confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division and a fine of \$ 10,000.00 to 5 years in the Texas Department of Criminal Justice, Institutional Division a fine of \$ N/A.

presence of said Defendant, to pronounce sentence against him as follows, to-wit: "It is the order of the Court that the Defendant, named above who has been adjudged to be guilty of the offense indicated above, a felony, and whose punishment has been assessed at confinement in the Texas Department of Criminal Justice, Institutional Division for the period indicated above, be delivered by the Sheriff of Harris County, Texas, immediately to the Director of Texas Department of Criminal Justice, Institutional Division, or other person legally authorized to receive such convicts, and said Defendant shall be confined in said Texas Department of Criminal Justice, Institutional Division for the period indicated above, in accordance with the provisions of the law governing the Texas Department of Criminal Justice, Institutional Division".

The said Defendant was remanded to jail until said Sheriff can obey the directions of this sentence.

BILL OF COSTS			
Payment Type: (S, I, D, M or L:) (NOTE: If "I" or "D" see attached order)			
Jail Time: H/D/M/Y CC: Y/N Y=Yes N=No (jail/fine/cost concurrent)			
Time Assessed Texas Department of Criminal Justice, Institutional Div.: D/M/Y			
Jail Credit: H/D/M/Y Sentence to Begin Date:			
Jail as a Term of Probation: H/D/M/Y Additional Jail Credit: H/D/M/Y			
Payable on or Before: PLO: Reward SPN: COC:			
Hours of Sentence to be Served by Performing Community Service			
Defendant to Serve Sentence by Electronic Monitoring? (Y or N):			
NOTE TO SHERIFF:			
Transcript at: Pages.....		Crime Stoppers Fee.....	2.00
Serving Capias: /Summons: ..		Jury Fee.....	20.00
Summoning Witness/Mileage.....		CJPF.....	1.00
Jury Fee.....		LEOSEF.....	20.00
Taking: Bonds.....		CVCF.....	20.00
Commitment.....		DCLCF.....	00.00
Release.....		JCTF.....	00.00
Attachment.....		Video Fee.....	
Arrest W/O Warrant/Capias.....		DWI Evaluation Fee.....	
		Reward Repayment.....	
		Pre-Bond Drug Test.....	
		Bond/Elec Monitor Fee.....	
		ACCA.....	
		Financial Responsibility.....	
		PTR Fee.....	
		Attorney Fee.....	
		Out of County Witness Fee.....	
		Amount Probated/Waived.....	
		TOTAL AMOUNT OWED.....	
RECAPITULATION			
Fine Amount.....			
Miscellaneous Cost.....			
Special Expense.....			
Trial Fee.....			
District Attorney Fee.....			
Clerk's Fee.....			
Sheriff's Fee.....			

Signed and entered this the 6th day of May, A.D., 1992.

Notice of Appeal: N/A 19 May
PRESIDING JUDGE

Mandate Received: N/A 19

Received on 6 day of May, A.D., 1992 at 9:35 o'clock A M.

Sheriff, Harris County, Texas

By Le B. Nelson Deputy

Jhu

Entered OSTWCPA
Verified Jhu
18TW 9PAV

THE STATE OF TEXAS
VS.

EARL DAVID WORDEN

SPN

DOB WM 9-19-61

DATE PREPARED 1-16-86 BY amc DANO 279

AGENCY HPD O/R NO 42496885

NCIC CODE 2411 10 ARREST DATE 8-21-85

RELATED CASES

FELONY CHARGE.

UNAUTHORIZED USE OF A MOTOR VEHICLE

CAUSE NO:

HARRIS COUNTY DISTRICT COURT NO

209th

BAIL \$ NO BOND

PRIOR CAUSE NO REINDICTMENT OF 431351

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS

The duly organized Grand Jury of Harris County, Texas, presents in the District Court of Harris County, Texas, that in Harris County, Texas.

EARL DAVID WORDEN

hereafter styled the Defendant, heretofore on or about
then and there unlawfully

AUGUST 21, 1985

intentionally and knowingly operate a motor-propelled vehicle, namely, an automobile,
owned by , hereafter styled the Complainant, without the effective consent
of the Complainant.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Bernard Schnapp

FILED
FOREMAN OF THE GRAND JURY
RAY HARRY HUNT CLERK
HARRIS COUNTY TEXAS

JAN 17 1 05 PM '86

BY *[Signature]*
CLERK

(F)

Earl David Warden

COURT OF HARRIS COUNTY, TEXAS

Change of Venue From: N/A

JUDGMENT REVOKING PROBATION

Judge Presiding: Wallace C. Moore Date of Judgment: May 6, 1992
 Attorney for State: Ron Johnson Attorney for Defendant: W.K. Horde
 Offense Convicted of: Unauthorized use of a motor vehicle

Degree: 3rd

Date Offense

Committed: August 21, 1985

Date of Probation Order:

Paragraph Violated and Grounds for Revocation:

Paragraphs one and two - Law Violation and Technical

As set out in States

Original Punishment Assessed:

Findings on Use of Deadly Weapon

Punishment Imposed and Place of Confinement:

Date of Sentence:

Time Credited:

Concurrent Unless Otherwise Specified:

Petition to Revoke Probation.

Statement of amount of Payment(s) Required/Terms of Payment:

This day this cause being again called the State appeared by her District Attorney as named above, and the Defendant as named above appeared in open court in person, and either with his counsel as named above or knowingly, intelligently, and voluntarily waived the right to representation by counsel as indicated above. Then came on to be heard the motion of the State's Attorney that the probation of the Defendant be revoked.

The Court having heard and considered said motion the Defendant's plea thereto and the evidence submitted it appears that on the 23rd day of January, A.D. 1986 in the above District Court of Harris County, Texas said Defendant was finally convicted of a felony and his punishment assessed at confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division for a period of 10 years and a fine of \$ N/A. The imposition of the sentence was suspended and the Defendant was placed on probation for a term of 10 years, and that said Defendant has violated the terms of his probation in that:

He carried on and about his person a handgun on January 28, 1992 in Harris County, TX and failed to report to probation officer on August 21, 1991

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the order suspending the imposition of the sentence, and placing the Defendant on probation, heretofore entered in this said cause be, and the same is hereby revoked, and it is hereby ordered by the Court that the Defendant be now sentenced herein in accordance with the judgment heretofore entered in this cause and in compliance with this order and further, it appearing to the Court that the ends of justice will best be served by a reformation of the judgment herein from 10 years confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division and a fine of \$ N/A to 5 years confinement in the Texas Department of Criminal Justice, Institutional Division and a fine of \$ N/A. It is therefore ordered, adjudged and decreed by the Court that this judgment be reformed and the penalty reduced from 10 years confinement in the Texas Department of Corrections/Texas Department of Criminal Justice, Institutional Division and a fine of \$ N/A to 5 years in the Texas Department of Criminal Justice, Institutional Division a fine of \$ N/A.

Order Revoking Probation

presente of said Defendant, to pronounce sentence against him as follows, to-wit: "It is the order of the Court that the Defendant, named above who has been adjudged to be guilty of the offense indicated above, a felony, and whose punishment has been assessed at confinement in the Texas Department of Criminal Justice, Institutional Division for the period indicated above, be delivered by the Sheriff of Harris County, Texas, immediately to the Director of Texas Department of Criminal Justice, Institutional Division, or other person legally authorized to receive such convicts, and said Defendant shall be confined in said Texas Department of Criminal Justice, Institutional Division for the period indicated above, in accordance with the provisions of the law governing the Texas Department of Criminal Justice, Institutional Division".

The said Defendant was remanded to jail until said Sheriff can obey the directions of this sentence.

441210		BILL OF COSTS		Defendant	
Payment Type: (S, I, D, M or L:) (NOTE: I, "I" or "M" see attached order)					
Jail Time: H/D/M/Y CC: Y=Yes N=No (jail/fine/cost concurrent)					
Time Assessed Texas Department of Criminal Justice, Institutional Div.: D/M/Y					
Jail Credit: H/D/M/Y Sentence to Begin Date: D/M/Y					
Jail as a Term of Probation: H/D/M/Y Additional Jail Credit: H/D/M/Y					
Payable on or Before: PLO: Reward SPN: COC:					
Hours of Sentence to be Served by Performing Community Service					
Defendant to Serve Sentence by Electronic Monitoring (Y or N):					
NOTE TO SHERIFF:					
Transcript at: Pages.....		Crime Stoppers Fee.....		2.00	
Serving Capias: /Summons: ..		Jury Fee.....		30.00	
Summoning Witness/Mileage.....		CJPF.....		30.00	
Jury Fee.....		LEOSEF.....		1.50	
Taking: Bonds.....		CVCF.....		20.00	
Commitment.....		DCLCF.....		1.00	
Release.....		JCTF.....		1.00	
Attachment.....		Video Fee.....			
Arrest W/O Warrant/Capias.....		DWI Evaluation Fee.....			
RECAPITULATION		Reward Repayment.....			
Fine Amount.....		Pre-Bond Drug Test.....			
Miscellaneous Cost.....		Bond/Elec Monitor Fee.....			
Special Expense.....		ACCA.....			
Trial Fee.....		Financial Responsibility.....			
District Attorney Fee		PTR Fee.....			
Clerk's Fee.....		Attorney Fee.....			
Sheriff's Fee.....		Out of County Witness Fee.....			
		Amount Probated/Waived.....			
		TOTAL AMOUNT OWED.....			

Signed and entered this the 6th day of May, A.D., 19 92.

Notice of Appeal: N/A 19 92 William E. Murrin
PRESIDING JUDGE

Mandate Received: N/A 19 92

Received on 6 day of May, A.D., 19 92 at 9:25 o'clock A.

Sheriff, Harris County, Texas

By L.B. Sullivan Deputy

[Signature]

Entered	OST 999
Verified	<i>[Signature]</i>

18760 999

